



**BOSE McKINNEY & EVANS LLP**

**CUSTOMER NUMBER 25267**

2700 First Indiana Plaza  
135 North Pennsylvania Street  
Indianapolis, Indiana 46204

3B32  
Bfw

PATENT APPLICATION

*IN THE UNITED STATES PATENT AND TRADEMARK OFFICE*

Group:: 3632 }  
Atty. Docket: 8266-0371 }  
Applicants: Metz, et al. }  
Title: MEDICAL DEVICE }  
SUPPORT ASSEMBLY }  
Serial No.: 09/629,524 }  
Filed: August 1, 2000 }  
Examiner: Chan, K. }

Certificate Under 37 CFR 1.8(a)

I hereby certify that this paper or fee is being deposited  
with the United States Postal Service as first class mail in  
an envelope addressed to: MAIL STOP ISSUE FEE,  
Commissioner for Patents, P.O. Box 1450, Alexandria,  
VA 22313-1450

on August 24, 2004

  
D. Cwiklinski

Dated: August 24, 2004

MAIL STOP ISSUE FEE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

REQUEST FOR CONSIDERATION OF  
FOREIGN PATENT REFERENCES

Sir:

In response to the Supplemental Notice of Allowability mailed August 12, 2004, Applicants respectfully request reconsideration of the Supplemental Information Disclosure statement (IDS) filed on February 27, 2002. Copies of the IDS, PTO Form 1449, Foreign Patent References, and the postcard acknowledging receipt of the IDS and references by the Patent Office on February 27, 2002 are attached.

It is respectfully submitted that the IDS was filed with copies of all the references listed within three months of receipt of the International Search Report in accordance with 37 C.F.R. § 1.97(c). The return postcard acknowledged receipt of the listed references.

It is noted that the translation column on the PTO Form 1449 was not checked for the Foreign Patent References. A copy of the English language Abstract for EP 0893557 is attached. (Publication WO 93/12346 is in English.)

The Examiner is requested to expressly consider the Foreign Patent References listed on the IDS before the issuance of this patent. The issue fee was paid July 2, 2004.

The Commissioner is authorized to charge any fee deficiency required by this paper or credit any overpayment to Bose McKinney & Evans LLP's Deposit Account No. 02-3223.

The Examiner is invited to contact the undersigned at the number provided below should any questions or comments arise during the course of reconsideration of this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ryan C. Barker", is written over a horizontal line.

Ryan C. Barker  
Registration No. 47,405

Indianapolis, Indiana 46204  
(317) 684-5000

561723\_1



Mailed: February 13, 2002

Applicant: Metz, et al.

Serial No.: 09/629,524

Filed: August 1, 2000

Title: MEDICAL DEVICE SUPPORT ASSEMBLY

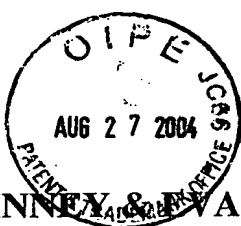
Atty Docket: 8266-0371



X Supplemental Information Disclosure Statement  
X PTO Form 1449 (with copy of 3 reference)

The stamp of the Patent Office hereon indicates receipt of the above-identified documents.

RCB/dc



**BOSE McKINNEY & EVANS LLP**



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135 North Pennsylvania Street  
Indianapolis, Indiana 46204  
(317) 684-5000

**PATENT APPLICATION**

**25267**

PATENT TRADEMARK OFFICE

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

*Applicants:* Metz, et al. }  
}   
*Serial No.:* 09/629,524 }  
}   
*Filed:* August 1, 2000 }  
}   
*Title:* MEDICAL DEVICE }  
SUPPORT ASSEMBLY }  
}   
*Atty. Docket:* 8266-0371 }  
}   
*Group:* 3632 *Examiner:* K. Chan }

**Certificate Under 37 C.F.R. 1.8(a)**

I hereby certify that this paper is being sent by U.S. Mail  
First Class addressed to the Assistant Commissioner for  
Patents, Washington, D.C. 20231

on February 13, 2002

D. Cwiklinski  
D. Cwiklinski

Dated: February 13, 2002

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

The patents or publications listed on the enclosed PTO Form 1449 are submitted  
pursuant to 37 CFR 1.97. Copies of the patents or publications cited are enclosed.

Submitted herewith is a copy of an Official Search Report of the PCT Patent Office in  
counterpart foreign application No. PCT/US01/23688.

**TIME OF FILING**

The information disclosure statement is being filed:

1. \_\_\_\_\_ with the application or within three months of the filing date of the  
application or date of entry into the national stage of an international  
application or before the mailing date of a first office action on the  
merits, whichever event occurs last. In accordance with 37 CFR  
1.97(b), no certification or fee is required.

2.   X   after the time period specified in paragraph 1 above, but before the mailing date of a final action under 37 CFR 1.113 or notice of allowance under 37 CFR 1.311. Therefore, in accordance with 37 CFR 1.97(c), submitted herewith is:

(check either A or B below)

- A.   X   a certification as specified in 37 CFR 1.97(e).
- B.        the fee set forth in 37 CFR 1.17(p) for submission of an information disclosure statement under 37 CFR 1.97(c).
3.        after the mailing date of either a final action under 37 CFR 1.113 or a notice of allowance under 37 CFR 1.311, whichever occurs first, but before payment of the issue fee. Therefore, Applicant submits herewith:
- A. a certification as specified in 37 CFR 1.97(e);
- B. the petition fee set forth in 37 CFR 1.17(i); and
- C. the accompanying petition under 37 CFR 1.97(d).

#### **CERTIFICATION**

(Only used if No. 2(A) or No. 3 above is checked)

The person(s) signing below certify

(Check appropriate paragraph)

  X   that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. 37 CFR 1.97(e)(1).

OR

       that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this statement. 37 CFR 1.97(e)(2).

**METHOD OF PAYMENT**


  X   No fee is required.

           Attached is a check in the amount of                     .

The Commissioner is authorized to charge any fee deficiency required by this paper or credit any overpayment to Bose McKinney & Evans LLP's Deposit Account No. 02-3223. A duplicate copy of this communication is enclosed.

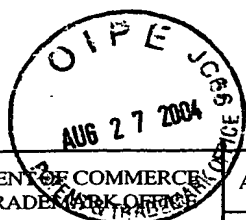
Respectfully submitted,

BOSE McKINNEY & EVANS LLP

  
\_\_\_\_\_  
Ryan C. Barker  
Reg. No.: 47,405

Indianapolis, Indiana 46204  
(317) 684-5000

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FORM PTO-1449

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTY DOCKET NO. 8266-0371

SERIAL NO. 09/629,524

## INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

APPLICANT Metz, et al.

FILING DATE August 1, 2000

GROUP 3632

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPLICABLE
	AA	3,814,023	06/04/1974	Stantial			
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	AL	WO 93/12346	06/24/1993	PCT				
	AM	EP 0 893 557 A1	01/27/1999	EPO				
	AN							
	AO							
	AP							
	AQ							

## OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

	AR	
	AS	
	AT	

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered.  
Include copy of this form with next communication to applicant.